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UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA

EMILY HALL, an individual,

Plaintiff,

vs.

PRESTIGE TRAVEL & CRUISES, a  
corporation licensed to do business in Nevada;  
DOES I-X, inclusive, and ROE ENTITIES I-  
X, inclusive,

Defendant.

)  
) CASE NO.: 2:20-cv-00772-JCM-BNW  
)  
) **STIPULATED DISCOVERY PLAN AND**  
) **SCHEDULING ORDER**  
)  
) ***SPECIAL SCHEDULING REVIEW***  
) ***REQUESTED***

Pursuant to Fed. R. Civ. P. 26(f), and Local Rules (LR) 26-1, the parties hereto, Plaintiff  
EMILY HALL (Plaintiff), by and through her respective counsel of record, F. Travis Buchanan,  
Esq., of F. Travis Buchanan, Esq., & Associates, and Defendants PRESTIGE TRAVEL, INC.  
(Defendants), by and through their respective counsel Jason D. Guinasso, Esq. and Piers R.  
Tueller, Esq., of Hutchison & Steffen, PLLC, hereby submit their Stipulated Discovery Plan and  
*proposed* Scheduling Order.

**DISCOVERY PLAN AND SCHEDULING ORDER**

Pursuant to Fed. R. Civ. P. 26(f) and LR 26-1(a), a meeting was held telephonically at

3:00 p.m., on August 21, 2020, and was attended by F. Travis Buchanan, Esq. of F. Travis Buchanan, Esq. & Associates, PLLC, for Plaintiff, and Piers R. Tueller, Esq., attorney for Defendants. The subject of discovery was discussed within the scope of Fed. R. Civ. P. 26. The parties request special scheduling review of the discovery cut-off date as it exceeds 180 days from the date Defendants first appeared in this action, which was June 17, 2020 (the date Defendants answered the Complaint in this matter).

**A. Statement of Reason for Special Scheduling Review.** The proposed dates have been adjusted by approximately 90 days to account for work restrictions caused by the COVID-19 pandemic. The proposed adjustment is necessary due to the parties having limited access to their clients and the exchange of information between counsel and their respective clients, and counsel for both parties having limited access to their respective offices due to remote working arrangements over the past month.

## **PROPOSED SCHEDULE**

### **I. FED. R. CIV. P. 26(A) INITIAL DISCLOSURE**

After the initial 26(f) teleconference on August 21, 2020, in addition to discussing discovery in general, the parties agreed that Rule 26(a)(1) Initial Disclosures, will be exchanged between the parties, by the close of business on **Friday September 4, 2020**. Other than this, no changes are necessary in the form or requirement for disclosures under Fed. R. Civ. P. 26(a).

### **II. ESTIMATE OF TIME REQUIRED FOR DISCOVERY**

Special scheduling review of the proposed discovery cut-off deadline is requested. Defendants first appeared in this case on **June 17, 2020**. (Dkt. 12). Pursuant to Fed. R. Civ. P. 26(f) and Local Rule 26-1(b), discovery must be completed no later than December 9, 2020, 180 days from Defendants' first appearance. However, the parties are requesting 30 additional days

1 from the statutory December 9, 2020 discovery cut-off date to conduct discovery in light of the  
 2 COVID-19 pandemic and its effect on the parties and their respective counsel's offices.  
 3 Accordingly, the parties are requesting that the close of discovery be 30 days from December 9,  
 4 2020, or **January 8, 2021**.

### 5 **III. AMENDING THE PLEADINGS AND ADDING PARTIES**

6 Unless stated herein or ordered by the Court, the date for filing motions to amend the  
 7 pleadings or to add parties shall not be less than 90 days prior to the initial discovery cut-off date  
 8 of **December 9, 2020**. The parties agree that no amendments or additional parties will be made  
 9 or added to this case after such date.

### 10 **IV. FED. R. CIV. P. 26(A)(2) DISCLOSURES (EXPERTS)**

11 In accordance with Fed. R. Civ. P. 26(a)(2), disclosures identifying experts shall be made  
 12 60 days prior to the discovery cut-off-date, and therefore not later than: Expert deadline 60 days  
 13 before discovery deadline) – **November 9, 2020**; Rebuttal expert deadline (30 days after expert  
 14 deadline) – **December 9, 2020**.

### 15 **V. DISPOSITIVE MOTIONS**

16 The parties shall file dispositive motions 30 days after the discovery cut-off date, and  
 17 therefore, no later than **Monday February 8, 2021** (Due to the 30<sup>th</sup> day falling on Sunday  
 18 February 7, 2021).

### 19 **VI. PRETRIAL ORDER**

20 If no dispositive motions are filed, and unless otherwise ordered by this Court, the Joint  
 21 Pretrial Order shall be filed 30 days after the date set for filing dispositive motions, and therefore  
 22 not later than **Wednesday March 10, 2021**. In the event dispositive motions are filed, the date  
 23 for filing the Joint Pretrial Order shall be suspended until 30 days after the Court enters a ruling  
 24 on the dispositive motions, or otherwise by further order of the Court. The disclosures required  
 25 by Fe. R. Civ. P. 26(a)(3), and any objections thereto, shall be included in the Joint Pretrial  
 Order.

1       **VII.       EXTENSIONS OR MODIFICATIONS OF THE DISCOVERY PLAN AND**  
2       **SCHEDULING ORDER**

3       LR 26-3 governs modifications or extensions to this discovery plan and scheduling order.

4       **VIII.       ELECTRONICALLY STORED INFORMATION AND ELECTRONIC**  
5       **EVIDENCE**

6       The Parties have discussed the retention and production of electronic data and agree that  
7       service of discovery via electronic means, including electronic files copied to compact disc,  
8       pursuant to Fed. R. Civ. P. 5(b), is sufficient, and the parties retain the right to serve by mail and  
9       receive three additional days for mailing provided for in Fed. R. Civ. P. 6(d). The parties have  
10      undertaken efforts to retain any electronically stored information relevant to this matter and have  
11      agreed that, unless the requesting party asks for a definite and specific form, the party producing  
12      any electronically stored information need not provide such information in any certain form as  
13      long as the form provides the other party reasonable access to the information. The parties have  
14      further agreed that, to the extent that any party seeks electronically stored information that would  
15      be cumulative, burdensome, or unduly costly to produce, counsel for the parties will confer in  
16      good faith to reach a mutual agreement regarding the production of such information. The parties  
17      reserve the right to revisit this issue if a dispute or need arises.

18      **IX.        ALTERNATIVE DISPUTE RESOLUTION**

19      The Parties certify that they met and conferred about the possibility of using alternative  
20      dispute-resolution processes including mediation, arbitration and Early Neutral Evaluation. The  
21      Parties will participate in the Early Neutral Evaluation scheduled for November 12, 2020. The  
22      parties discussed other ADR methods and have not agree to any at this time.

23      ///

24      ///

1       **X.       LR II 26-1(b) CERTIFICATIONS**

2           The Parties certify that they considered consent to trial by a magistrate judge under 28  
3 U.S.C. §636(c) and Fed. R. Civ. P. 73 use of the Short Trial Program (General Order 2013-01)  
4 and do not consent to the same at this time.  
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**XI. ELECTRONIC FILING & ELECTRONIC EVIDENCE**

The attorneys of record in this matter are registered for electronic filing with this Court. Any documents electronically filed with this Court are deemed to be sufficiently served on the other party as of the date the document is electronically filed with the Court. The parties further certify that they discussed their intent to present evidence in electronic format to jurors for jury deliberations, and have not reached any stipulation at this time but will work in good faith to provide electronic evidence and discovery, to the extent possible, in an electronic format compatible with the Court's electronic jury evidence display system.

DATED this 26<sup>th</sup> day of August 2020.

DATED this 26<sup>th</sup> day of August 2020.

**HUTCHISON & STEFFEN, PLLC**

**F. TRAVIS BUCHANAN, ESQ., & ASSOCIATES**

*/s/ Piers R. Tueller*

*/s/ F. Travis Buchanan*

By

By

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*Attorneys for Plaintiff, Emily Hall*

**IT IS SO ORDERED:**

**DATED:** \_\_\_\_\_

\_\_\_\_\_  
**UNITED STATES MAGISTRATE JUDGE**